

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

SEAN F. McAVOY, CLERK

RYAN S.,

V.

COMMISSIONER OF SOCIAL  
SECURITY,

Defendant.

No. 1:18-CV-3161-JTR

ORDER GRANTING STIPULATED  
MOTION FOR REMAND  
PURSUANT TO SENTENCE FOUR  
OF 42 U.S.C. § 405(g)

**BEFORE THE COURT** is the parties' stipulated motion to remand the above-captioned matter to the Commissioner for additional administrative proceedings pursuant to sentence four of 42 U.S.C. § 405(g). ECF No. 21. Attorney D. James Tree represents the claimant; Special Assistant United States Attorney Lars Joseph Nelson represents Defendant. The parties have consented to proceed before a magistrate judge. ECF No. 3. After considering the file and proposed order, **IT IS ORDERED:**

1. The parties' Stipulated Motion for Remand, **ECF No. 21**, is **GRANTED**. The above-captioned case is **REVERSED** and **REMANDED** to the Commissioner of Social Security for further administrative proceedings pursuant to sentence four of 42 U.S.C. § 405(g).

On remand, the administrative law judge (ALJ) shall: (1) remove any evidence that does not pertain to the claimant from the administrative record; (2) if necessary, take any further action needed to complete the administrative record, including obtaining evidence from a medical expert to clarify the nature, severity,

1 and effects of the claimant's mental impairments; (3) offer the claimant the  
2 opportunity for a hearing; and (4) issue a new hearing decision, without reference  
3 to any evidence which does not pertain to the claimant. The claimant may present  
4 additional testimony, submit additional evidence, and raise and pursue additional  
5 issues.

6       2. **Judgment shall be entered for PLAINTIFF.**

7       3. Plaintiff's Motion for Summary Judgment, **ECF No. 13**, is  
8 **STRICKEN AS MOOT.**

9       4. An application for attorney fees and costs may be filed by separate  
10 motion.

11       The District Court Executive is directed to enter this Order, forward copies  
12 to counsel, and **CLOSE THE FILE.**

13       DATED March 27, 2019.



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A handwritten signature in black ink, appearing to read "J.T.R." or "John T. Rodgers".

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15       JOHN T. RODGERS  
16       UNITED STATES MAGISTRATE JUDGE  
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